amendment No. 1799 proposed to H.R. 6, a bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 1799 proposed to H.R. 6, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. CRAPO, Mr. BINGAMAN, Ms. CANTWELL, Mrs. LINCOLN, Ms. STABENOW, Mr. WYDEN, Mr. HARKIN, Ms. LANDRIEU, Mr. ROBERTS, Mr. DORGAN, Mr. ENZI, and Mr. PRYOR):

S. 1673. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, today I am proud to introduce legislation with Senator MIKE CRAPO, House Ways and Means Chairman CHARLIE RANGEL, and Congresswoman JO ANN EMERSON to help open a promising market to American exports. That market is Cuba.

For too long, we have maintained ideologically driven restrictions that have undermined our export competitiveness in a market 90 miles away from us.

Just beyond our shoreline, our trading partners—especially Canada and China—are making multi billion-dollar investments in a Cuban economy that is growing at a rate of 7 to 12 percent per year. But the United States just stands by while these and other countries capitalize on opportunities in our own backyard.

Our economic policy toward Cuba simply is not working. This bill changes that.

The greatest opportunities exist in Cuba's agriculture sector. When Congress passed legislation allowing food and medicine sales to Cuba in 2000, some people said Cuba would never buy. Fidel Castro himself predicted that Cuba would buy ''not one grain'' from the United States.

But Mr. Castro was wrong. Agricultural sales happened. In 2004 alone, Cubans bought more than $375 million in American agricultural products. And, today, nearly every state in the union wants to get into the largest agriculture market in the Caribbean.

I have worked tirelessly to market Montana's high quality agriculture products, and it has paid off. In 2003, I inked a $10 million deal with Cuba. After we completed that deal, I went back to Havana and signed another deal—for $15 million. We have sent Montana wheat, beans and peas to Cuba, and that is just the beginning.

But it has not been easy. In 2005, the Treasury Department issued a rule to undermine the will of Congress. In landmark legislation, Congress in 2000 facilitated agriculture exports to Cuba by authorizing the use of cash basis sales. But the Treasury rule made such transactions impossible. Instead, sellers had to resort to foreign letters of credit, which are time-consuming, complicated, and expensive, especially for smaller exporters.

The Treasury rule stunted what had been meteoric growth in American agriculture exports to Cuba. This rule flies in the face of the law, and it will not stand.

Today's bill overturns the Treasury rule. It clarifies that not only do we intend to let these cash basis sales go forward, we mean to expand and promote them. This bill also ensures that exporters and commodity groups looking to get into the Cuban market get help from the Department of Agriculture. And it would require our Agriculture Department to promote American agricultural exports for Cuba.

Increased agriculture sales will allow Cubans to become familiar with more and more American branded food products. But a little-known provision of U.S. law—known as section 211—invites Cuba to withhold trademark protection from these and other American food exports. Today's bill also addresses that problem.

Section 211 bars U.S. courts from hearing claims of foreign nationals to trademarks similar to or associated with expropriated properties. It also forbids the United States from allowing foreign nationals to register or renew such trademark rights. In other words, it denies trademark protection to Cuban assets. If we are not going to recognize Cuban brands, why should Cuba, in the future, recognize American brands?

The World Trade Organization has already struck down section 211 as inconsistent with U.S. international trade obligations. It is time for this Congress to do the same. My bill repeals this wrong-headed and WTO-inconsistent provision. It ensures the continued security of thousands of American-owned trademarks already registered in Cuba.

I am a big proponent of getting American food products into Cuba. But I also fundamentally believe that we should never use food and medicine as a weapon against a people, no matter what we think of their government.

Many of my colleagues agree with me on this. This is why Congress, in the 1992 Cuban Democracy Act, authorized medicine and medical supplies sales to Cuba. But, at that time, we didn't get it quite right. We passed a law with good intent but loaded it up with so many restrictions that we have made medical sales to Cuba more difficult than medical sales to Iran or North Korea.

My bill will correct this lopsided and inhumane policy. It will allow Cubans access to our medicines and medical products—which are the best money can buy—on the same terms that we offer to other regimes. There is no sound reason to deny our products to our Cuban neighbors but allow such sales to Iran and North Korea.

I have taken Montana farmers and ranchers to Cuba to explore export opportunities. But such opportunities are rare because our government, with limited exceptions, does not permit travel to Cuba. And those exceptions are so riddled with red tape as to discourage applicants from making use of them.

Many Americans are ready and willing to travel to Cuba, and not just to make agriculture sales. Religious organizations have deep roots on the island—since before the Castro government. They are a lifeline, bringing hope, help, and brotherhood to their counterparts in Cuba. American academics and professionals engage in thoughtful exchanges of research and ideas. American students visit with Cuban students, and they learn lessons a teacher cannot imbue.

Nearly everyone in Cuba has a dear friend or relative living in the United States. Tens of thousands of Cubans who found their way to America save their hard earned dollars on frequent trips home, their bags packed with medicine, vitamins, and clothing.

Rather than encourage these meaningful contacts between Cubans and Americans, our government stifles our interaction. Rather than unite the Cuban family, our government seeks to divide it further.

Americans do not benefit from this policy. The Cuban people do not benefit from this policy. Only those who seek to keep Americans and Cubans apart benefit from our misguided policy of isolation.

It is time to reach out to the Cuban people. It is time to restore Americans' fundamental right to travel anywhere they want. It is time to lift the travel ban.

I am proud of our bill. It spells out the right policy during this fundamental transition in Cuba. It helps farmers and ranchers in Montana and elsewhere seek opportunities in a nearby market. And it affords our citizens the opportunity to spread American generosity, assistance, and values to Cuba.

I look forward to working with Senator CRAPO, Chairman RANGEL, Congresswoman EMERSON, and others to put our trade relationship with Cuba on the right path.

By Mr. DODD (for himself, Mr. SHELBY, Mr. BAYH, Mr. BUNNING, Mr. CARPER, Mr. BROWN, Mr. CASEY, and Ms. STABENOW):

S. 1677. A bill to amend the Exchange Rates and International Economic Coordination Act of 1988 and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I rise to introduce the Currency Reform and Financial Markets Access Act of 2007 on behalf of myself, Senator SHELBY, Senator BAYH, Senator CARPER, Senator BROWN, and Senator CASEY.

Nearly two decades ago, the Senate Banking Committee enacted legislation which required the Treasury Department to identify countries that manipulate their currency for purposes of gaining an unfair competitive trade advantage and to take prompt action to eliminate the unfair trade advantage when manipulation is found.

One of the very first actions that I undertook as chairman-elect of the Senate Banking Committee in December 2006 was to write a letter with then-Chairman Shelby to the Treasury Secretary about the report required under this legislation, the International Economic and Exchange Rate Policy Report and the inaugural U.S.-China strategic economic dialogue, SED. In that letter, we expressed our concern that the Treasury Department had not cited China, and potentially other nations, as currency manipulators.

At one of the very first hearings I held as chairman, in January 2007, Treasury Secretary Paulson provided his first congressional testimony since his confirmation, on the SED and the exchange rate report. At that hearing, Secretary Paulson testified that China did not meet the technical requirement for designation as a currency manipulator and that the SED is the ''best chance to get some progress [on the currency issue].''

Senator SHELBY and I wrote to Secretary Paulson in advance of the most recent exchange rate report and the May SED urging him to consider steps beyond dialogue to eliminate the unfair trade advantage resulting from China's ongoing currency manipulation and discriminatory market access practices. But instead of taking action, the Treasury Department once again chose not to cite China as a currency manipulator in its latest report to the Senate Banking Committee, despite acknowledging ''heavy foreign exchange market intervention by China's central bank to manage the currency tightly.''

Secretary Paulson's efforts to engage the Chinese through dialogue are commendable, but after two meetings of the strategic economic dialogue, numerous congressional hearings, and the shortcomings of the most recent exchange rate reports, it is clear that dialogue alone is not enough to make progress and legislative action is needed.

Therefore, Senator SHELBY and I are today introducing the Currency Reform and Financial Markets Access Act of 2007 which will provide the Treasury Department and Congress new, tough authority to recognize and remedy currency manipulation without ambiguity or delay.

Under current law, Treasury claims that no countries meet the technical finding of intent to manipulate their currencies. Treasury reiterated this point in its most recent exchange rate report, stating:

> The Department of the Treasury concluded that, although the Chinese currency is undervalued, China did not meet the technical requirements for designation under the terms of Section 3004 of the Act during the period under consideration. Treasury was unable to determine that China's exchange rate policy was carried out for the purpose of preventing effective balance of payments adjustment or gaining unfair competitive advantage in international trade.

The Currency Reform and Financial Markets Access Act of 2007 requires a Treasury designation of currency manipulation based on objective data, and without regard to subjective factors such as purpose or intent, removing a technicality that the Treasury Department has been using to defend its inaction.

Once currency manipulation is found, the bill requires the Treasury Department to submit a detailed plan of action to the Congress within 30 days of such finding. The plan of action sets specific timeframes and benchmarks, with the goal of remedying the manipulation. The bill also requires the Treasury to initiate both bilateral and multilateral negotiations, including immediate IMF consultations and to use the Treasury's voice and vote at the IMF to address the manipulation.

Our bill also provides new authority for the Treasury to file a WTO article XV case to remedy currency manipulation if the goals and benchmarks for progress are not met within 9 months of designation.

If the Treasury continues to avoid designating countries as currency manipulators, our bill creates a new process by which Congress, led by either the Senate Banking or House Financial Services Committee, can originate a joint resolution of disapproval of the Treasury's inaction and provides for an expedited process for such a motion through the floors of both Chambers.

Finally, the Currency Reform and Financial Markets Access Act of 2007 promotes market access for U.S. financial services firms to level the playing field for American businesses and to help develop the financial sector reform needed to support a freely floating currency in China. It also requires the Treasury Department to report on the progress of the SED, as well as on opening foreign markets to American financial services firms. It is time for American firms to be afforded the same open and fair treatment abroad that our country provides to foreign firms in the United States.

I am confident that in a free and fair environment American business and entrepreneurship will flourish. Our bill will require Treasury to assume its responsibility as a referee and will fight to level this playing field by identifying and addressing unfair practices and market access barriers.

During the SED events in Beijing, Federal Reserve Chairman Bernanke talked about the market distortions that result from ''an effective subsidy that an undervalued currency provides for Chinese firms that focus on exporting.'' I agree with Chairman Bernanke that undervalued currency is an export subsidy causing market disruptions and fully dealing with such subsidies can involve some trade remedies that are not within the Banking Committee's jurisdiction and hence not within the scope of this bill. But, remedying countervailable export subsidies is a policy that could be fully appropriate and supported by myself and my colleagues through other legislative proposals.

I ask unanimous consent that the text of the bill, a one page summary of the bill, and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Currency Reform and Financial Markets Access Act of 2007''.

TITLE I—EXCHANGE RATES AND INTERNATIONAL ECONOMIC POLICY COORDINATION ACT OF 1988

SEC. 101. STATEMENT OF POLICY.

Section 3003 of the Exchange Rates and International Economic Policy Coordination Act of 1988 (22 U.S.C. 5303) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting a semicolon; and

(3) by adding at the end the following:

''(5) the United States, and other major industrialized countries, should, where appropriate, work together, through bilateral and multilateral discussions and international economic institutions, to ensure that the rate of exchange of the currencies of the major trading nations and the United States dollar—

''(A) reflect economic fundamentals and market forces; and

''(B) contribute to the growth and balance of the international economy; and

''(6) the United States should take all appropriate and necessary measures to ensure that the major trading partners of the United States are not engaged in hidden or unfair subsidies through management of their currency or international exchange rates.''.

SEC. 102. FAIR CURRENCY.

(a) IN GENERAL.—Section 3004(b) of the Exchange Rates and International Economic Policy Coordination Act of 1988 (22 U.S.C. 5304(b)) is amended to read as follows:

''(b) BILATERAL NEGOTIATIONS.—

''(1) ANALYSIS.—The Secretary of the Treasury shall analyze on an annual basis the exchange rate policies of foreign countries, in consultation with the International Monetary Fund, and consider whether any country, regardless of intent, manipulates the rate of exchange between its currency and the United States dollar in a manner that—

''(A) prevents effective balance of payments adjustments;

''(B) gains an unfair competitive advantage in international trade; or

''(C) results in an accumulation of substantial dollar currency reserves.

''(2) DETERMINATION.—The Secretary shall make an affirmative determination that a country is manipulating its currency and take the action described in paragraphs (3), (4), and (5) with respect to any country the Secretary considers is manipulating its currency as described in paragraph (1), if that country—

''(A) has a material global current account surplus; and

''(B) has significant bilateral trade surpluses with the United States; and

''(C) has engaged in prolonged one-way intervention in the currency markets.

''(3) ACTION.—

''(A) IN GENERAL.—In the case of any country with respect to which the Secretary makes an affirmative determination under paragraph (2), the Secretary shall, not later than 30 days after the determination is made, establish a plan of action to remedy the currency manipulation, and submit a report regarding that plan, to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

''(B) BENCHMARKS.—The report described in subparagraph (A) shall include specific benchmarks and timeframes for correcting the currency manipulation.

''(4) INITIAL NEGOTIATIONS.—The Secretary shall initiate, on an expedited basis, bilateral negotiations with each country with respect to which an affirmative determination is made under paragraph (2) for the purpose of ensuring that the country regularly and promptly adjusts the rate of exchange between its currency and the United States dollar to permit effective balance of payment adjustments and to eliminate the unfair competitive advantage.

''(5) COORDINATION WITH THE INTERNATIONAL MONETARY FUND.—The Secretary, within 30 days of the determination made under paragraph (2), shall instruct the Executive Director to the International Monetary Fund to use the voice and vote of the United States, including requesting consultations under Article IV of the Articles of Agreement of the International Monetary Fund, for the purpose of ensuring that each country with respect to which an affirmative determination is made under paragraph (2) regularly and promptly adjusts the rate of exchange between its currency and the United States dollar to permit effective balance of payments adjustments and to eliminate the unfair competitive advantage in trade.

''(6) FOLLOW-UP REPORT.—Not later than 300 days after an affirmative determination is made under paragraph (2), if the country with respect to which the affirmative determination is made continues to manipulate the rate of exchange between its currency and the United States dollar and the benchmarks in the report required under paragraph (3) have not been met, the Secretary shall initiate action pursuant to the Understanding on Rules and Procedures Governing the Settlement of Disputes annexed to the WTO Agreement to address the country's currency manipulation and violations of the country's obligations under article XV of GATT 1994.

''(7) EXCEPTION.—The Secretary is not required to initiate action in any case in which the President determines that the action will have a serious detrimental impact on the vital economic and security interests of the United States. If the President makes a determination under the preceding sentence, the President shall inform the chairman and the ranking minority member of the Committee on Banking, Housing, and Urban Affairs of the Senate and of the Committee on Financial Services of the House of Representatives of the President's determination.''.

(b) DEFINITIONS.—Section 3006 of the Exchange Rates and International Economic Coordination Act of 1988 (22 U.S.C. 5306) is amended by adding at the end the following:

''(3) GATT 1994.—The term 'GATT 1994' has the meaning given such term in section 2(1)(B) of the Uruguay Round Agreements Act (19 U.S.C. 3501(1)(B)).

''(4) WTO AGREEMENT.—The term 'WTO Agreement' means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.''.

SEC. 103. REPORTING REQUIREMENTS.

Section 3005 of the Exchange Rates and International Economic Policy Coordination Act of 1988 (22 U.S.C. 5305) is amended—

(1) in subsection (a)—

(A) by striking ''In furtherance'' and inserting the following:

''(1) IN GENERAL.—In furtherance''; and

(B) by striking the last sentence; and

(2) by adding at the end the following:

''(2) APPEARANCES BEFORE THE CONGRESS.—The Secretary shall appear before the Congress at semi-annual hearings to provide testimony on the reports referred to in paragraph (1)—

''(A) before the Committee on Banking, Housing and Urban Affairs of the Senate on or about October 15 of each even numbered calendar year and on or about April 15 of each odd numbered calendar year;

''(B) before the Committee on Financial Services of the House of Representatives on or about April 15 of each even numbered calendar year and on or about October 15 of each odd numbered calendar year;

''(C) before either Committee referred to in subparagraph (A) or (B), upon request of the Chairman, following the scheduled appearance of the Secretary before the other Committee.''.

SEC. 104. CONGRESSIONAL DETERMINATION OF CURRENCY MANIPULATION.

The Exchange Rates and International Economic Policy Coordination Act of 1988 (22 U.S.C. 5301 et seq.) is amended by inserting after section 3004 the following:

''SEC. 3004A. ACTION BASED ON COMMITTEE RESOLUTION.

''(a) IN GENERAL.—In this section, the term '*joint resolution*' means only a joint resolution introduced in the period beginning on the date on which the report referred to section 3004(b)(3) of the Exchange Rates and International Economic Policy Coordination Act of 1988 is received by the Committee on Banking, Housing and Urban Affairs of the Senate or the Committee on Financial Services of the House of Representatives and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves of the determination of the Secretary of the Treasury relating to the finding of currency manipulation as described in section 3004(b) of the Exchange Rates and International Economic Policy Coordination Act of 1988 in the report relating to _____, submitted on _____.', with the first blank space being filled with the name of the country (or countries) to which the determination relates and the second blank space being filled with the date the report was submitted.

''(b) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

''(1) ORIGINAL RESOLUTIONS.—Resolutions of disapproval shall be original resolutions, which—

''(A) in the House of Representatives shall originate from the Committee on Financial Services and, in addition, be referred to the Committee on Rules; and

''(B) in the Senate shall originate from the Committee on Banking, Housing, and Urban Affair.

''(2) FLOOR CONSIDERATION.—

''(A) IN GENERAL.—Except as otherwise provided in this section, the provisions of subsections (d) through (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192(d) through (f)) (relating to floor consideration of certain resolutions in the House and Senate) apply to a joint resolution of disapproval under this section to the same extent as such subsections apply to joint resolutions under such section 152.

''(B) MODIFICATION OF SECTION 152.—Section 152(f) of the Trade Act of 1974 shall be applied—

''(i) by substituting 'described in section 3004A of the Exchange Rates and International Economic Policy Coordination Act of 1988' for 'described in section 152 or 153(a), whichever is applicable,' in paragraph (2); and

''(ii) by substituting 'a joint resolution described in section 3004A of the Exchange Rates and International Economic Policy Coordination Act of 1988' for 'a joint resolution described in subsection (a)(2)(B)' in paragraph (3).

''(c) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This section is enacted by the Congress—

''(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

''(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.''.

TITLE II—FINANCIAL REPORTS ACT OF 1988

SEC. 201. SHORT TITLE.

This title may be cited as the ''Promoting Market Access for Financial Services Act''.

SEC. 202. REPORT ON FOREIGN TREATMENT OF UNITED STATES FINANCIAL INSTITUTIONS.

The Financial Reports Act of 1988 (22 U.S.C. 5351 et seq.) is amended—

(1) in section 3602—

(A) by striking ''QUADRENNIAL'' and inserting ''ANNUAL'' in the heading; and

(B) by striking ''not less frequently than every 4 years, beginning December 1, 1990'' and inserting ''beginning July 1, 2008, and annually thereafter,'';

(C) by striking ''to the Congress'' and inserting ''to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives'';

(2) in section 3603—

(A) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(B) by inserting after subsection (a), the following:

''(b) REPORT ON SED.—The Secretary shall include in the initial report required under section 3602 a summary of the results of the most recent US–China Strategic Economic Dialogue (SED) and the results of the SED as it relates to promoting market access for financial institutions. The reports required under section 3602 shall include a progress report on the implementation of any agreements resulting from the SED, a description

of the remaining challenges, if any, in improving market access for financial institutions, and a plan, including benchmarks and timeframes, for dealing with the remaining challenges. Each report shall specifically address issues regarding—

''(1) foreign investment rules;

''(2) the problems of a dual-share stock market;

''(3) the openness of the derivatives market;

''(4) restrictions on foreign bank branching;

''(5) the ability to offer insurance (including innovative products); and

''(6) regulatory and procedural transparency.''.

THE CURRENCY REFORM AND FINANCIAL MARKETS ACCESS ACT OF 2007—

JUNE 12, 2007

The Dodd-Shelby legislation would take significant new action to recognize and remedy currency manipulation by China and other countries, which has been harming the American economy, hurting our manufacturing base and driving record U.S. trade deficits. The bill also promotes Treasury's role in enhancing the competitiveness of U.S. financial services firms.

Strengthens Treasury's ability to find currency manipulation: Strengthens the definition of currency manipulation to identify countries that have both a material global current account surplus and a significant bilateral trade surplus with the United States as currency manipulators, without regard to intent.

Requires Treasury to address and remedy currency manipulation: Requires the Treasury Department to submit a detailed plan of action to the Congress within 30 days of a finding by Treasury of manipulation. The plan of action shall set specific timeframes and benchmarks, with the goal of remedying the manipulation; Requires Treasury to engage in bilateral and multilateral negotiations with countries that manipulate their currency. The Treasury must immediately seek IMF consultations when manipulation is found and requires Treasury to use its voice and vote at the IMF to that end; Provides Treasury the authority to file a WTO Article XV case to remedy currency manipulation if the goals and benchmarks are not met within 9 months.

Authorizes a Congressional disapproval process: Creates a process by which Congress, led by either the Senate Banking or House Financial Services Committee, can originate a joint resolution of disapproval when Treasury fails to cite manipulation. Provides for an expedited process for such a motion through the floors of both chambers.

Promotes market access for U.S. financial services firms: Requires Treasury to annually monitor and report to the Senate Banking Committee and the House Financial Services Committee on market access barriers for U.S. financial services firms, to identify challenges, and to develop plans to address those barriers; Requires the Treasury's initial report to include the status of the US-China Strategic Economic Dialogue (SED) as it relates to financial services firms. This would become the only congressionally required report on the progress of the SED.

THE FINANCIAL SERVICES FORUM,
June 21, 2007.

Hon. CHRISTOPHER J. DODD,
Russell Senate Office Building,
Washington, DC.

DEAR CHAIRMAN DODD: We are writing to applaud the focus you have given to market access in Title II of the Currency Reform and Markets Access Act of 2007. We commend your bipartisan effort to introduce legislation that recognizes the importance of further access for U.S. financial services firms to China's markets.

The Forum is encouraged by the Senators' interest in the U.S.-China Strategic Economic Dialogue and efforts to remove market access barriers for U.S. financial services firms.

A more open, modern, and effective financial sector in China is a prerequisite to successfully addressing issues that have complicated the U.S.-China economic relationship such as currency reform and the trade imbalance.

The fastest way for China to develop the modern financial system it needs to achieve more sustainable economic growth, allow for a more flexible currency, and increase consumer consumption—thereby opening new markets for U.S. products and services—is to import it by opening its financial sector to greater participation by foreign financial services firms.

We look forward to working with all of Congress in continuing to draw focus and attention to this key issue for economic reform and financial modernization in China and other emerging markets.

Sincerely,

DONALD L. EVANS.

CHINA CURRENCY COALITION,
Washington, DC., June 21, 2007.

CHINA CURRENCY COALITION WELCOMES INTRODUCTION OF DODD-SHELBY BILL AS A HELPFUL STEP TO ADDRESS CURRENCY MANIPULATION

(WASHINGTON, DC).—The China Currency Coalition (''CCC''), an alliance of industry, agriculture, and worker organizations whose mission is to support U.S. manufacturing, voiced its support of the Dodd-Shelby bill introduced today as a positive development in on-going efforts needed by the United States and the international community to rein in dangerous trade imbalances attributable to currency manipulation.

''Enactment of the Dodd-Shelby bill would be a key step forward in addressing the China currency issue,'' said David A. Hartquist, counsel to the CCC. ''The Treasury Department and the International Monetary Fund should make every effort to discourage and correct protracted undervaluation of countries' currencies as a monetary problem,'' he continued, ''and the Dodd-Shelby bill is a significant help in this regard. We appreciate that Chairman Dodd recognizes that additional legislation may be appropriate to address countervailable subsidies resulting from China's currency manipulation.''

''At the same time,'' noted Hartquist, ''when a currency is seriously undervalued for a protracted period of time, as China's has been since 1994, there are very damaging effects on trade. It is vitally important that the hybrid nature of this sort of exchange-rate misalignment is acknowledged so that both the negative monetary and trade aspects of such behavior by a country are addressed. That is why the CCC continues to urge passage of the Bunning-Stabenow-Bayh-Snowe bill, S. 796, and its counterpart in the House, the Ryan-Hunter bill, H.R. 782. These bills recognize that undervalued exchange-rate misalignment by China or any other country is countervailable prohibited export subsidy under U.S. and international law. The CCC is very grateful to Senators Bayh, Bunning, and Stabenow and to Congressmen Ryan and Hunter for their leadership on this important issue.''

The China Currency Coalition's co-chairs are AFL-CIO Secretary-Treasurer Richard L. Trumka and Doug Bartlett, Chairman of Bartlett Manufacturing Company, Inc., in Cary, Illinois, and also Chairman of the United States Business & Industry Council. David A. Hartquist is a senior partner at the Washington, D.C. office of Kelley Drye Collier Shannon where he heads the international trade practice.

For more information on the China Currency Coalition, visit www.chinacurrencycoalition.org.

By Ms. COLLINS (for herself, Mr. CONRAD, Mr. SMITH, Ms. MIKULSKI, and Mr. INOUYE):

S. 1678. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today on behalf of myself, Senator CONRAD, Senator SMITH, Senator MIKULSKI, and Senator INOUYE, to introduce legislation to ensure that our seniors and disabled citizens have timely access to home health services under the Medicare Program.

Nurse practitioners, physician assistants, certified nurse midwives, and clinical nurse specialists are all playing increasingly important roles in the delivery of health care services, particularly in rural and medically underserved areas of our country where physicians may be in scarce supply. In recognition of their growing role, Congress, in 1997, authorized Medicare to begin paying for physician services provided by these health professionals as long as those services are within their scope of practice under State law.

Despite their expanded role, these advanced practice registered nurses and physician assistants are currently unable to order home health services for their Medicare patients. Under current law, only physicians are allowed to certify or initiate home health care for Medicare patients, even though they may not be as familiar with the patient's case as the non-physician provider. In fact, in many cases, the certifying physician may not even have a relationship with the patient and must rely upon the input of the nurse practitioner, physician assistant, clinical nurse specialist or certified nurse midwife to order the medically necessary home health care. At best, this requirement adds more paperwork and a number of unnecessary steps to the process before home health care can be provided. At worst, it can lead to needless delays in getting Medicare patients the home health care they need simply because a physician is not readily available to sign the form.

The inability of advanced practice registered nurses and physician assistants to order home health care is particularly burdensome for Medicare beneficiaries in medically underserved areas, where these providers may be the only health care professionals available. For example, needed home health care was delayed by more than a week for a Medicare patient in Nevada because the physician assistant was the only health care professional

serving the patient's small rural town, and the supervising physician was located 60 miles away.

A nurse practitioner told me about another case in which her collaborating physician had just lost her father and was not available. As a consequence, the patient experienced a 2-day delay in getting needed care while they waited to get the paperwork signed by another physician. Another nurse practitioner pointed out that it is ridiculous that she can order physical and occupational therapy in a subacute facility but cannot order home health care. One of her patients had to wait 11 days after being discharged before his physical and occupational therapy could continue simply because the home health agency had difficulty finding a physician to certify the continuation of the same therapy that the nurse practitioner had been able to authorize when the patient was in the facility.

The Home Health Care Planning Improvement Act will help to ensure that our Medicare beneficiaries get the home health care they need when they need it by allowing physician assistants, nurse practitioners, clinical nurse specialists and certified nurse midwives to order home health services. Our legislation is supported by the National Association for Home Care and Hospice, the American Nurses Association, the American Academy of Physician Assistants, the American College of Nurse Practitioners, the American College of Nurse Midwives, the American Academy of Nurse Practitioners, and the Visiting Nurse Associations of America.

I urge my colleagues to sign onto this legislation as cosponsors. I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN NURSES ASSOCIATION,
June 6, 2007.

Hon, SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. GORDON SMITH,
U.S. Senate, Washington, DC.

DEAR SENATORS COLLINS AND SMITH: I am writing on behalf of the American Nurses Association, ANA, to express support for the Home Health Care Planning Improvement Act of 2007. ANA is the only full- service national association representing registered nurses, RNs. Through our 54 state and territorial nursing associations, we represent RNs across the nation in all practice settings.

ANA applauds your efforts to improve access to home health services. Advanced practice registered nurses, APRNs, are playing an increasing role in American health care delivery. Nurse practitioners, clinical nurse specialists, and certified nurse midwives can practice independent of physicians in most states. Many studies have shown that APRNs provide cost-effective, high quality care. In addition, they are often willing to provide services in areas where access to physicians is limited.

Medicare has recognized the independent practice of APRNs for nearly two decades, and these health care professionals now provide the majority of skilled care to home health patients. Unfortunately, a quirk in Medicare law has kept APRNs from signing home health plans of care and from certifying Medicare patients for the home health benefit. In areas where access to physicians is limited, this outdated prohibition has lead to delays in health care delivery. These delays in care inconvenience patients and their families. In addition, delays can also result in increased cost to the Medicare system when patients are unnecessarily left in more expensive institutional settings.

The Home Health Care Planning Improvement Act of 2007 would address these problems by specifically allowing nurse practitioners, clinical nurse specialists, and certified nurse midwives to certify home health services. ANA looks forward to working with you to support the enactment of this important legislation.

Sincerely,

ROSE GONZALEZ, MPS, RN DIRECTOR,
GOVERNMENT AFFAIRS.

AMERICAN COLLEGE OF
NURSE-MIDWIVES,
Silver Spring, MD, June 14, 2007.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: On behalf of the certified nurse-midwife, CNM, and certified midwife, CM, members of the American College of Nurse-Midwives, ACNM, I am writing to express strong support for the legislation you plan to introduce this week to ensure appropriate and timely access to necessary home health services for women that might be in the care of a certified nurse-midwife or other primary care provider.

As you know, currently Medicare only allows a physician to order home health services for Medicare beneficiaries. ACNM believes this is an antiquated requirement that fails to recognize the role advanced practice nurses, including certified nurse-midwives, play in the delivery of high quality, primary care services. Your legislation would ensure that a patient under the care of a certified nurse-midwife can receive necessary home health services in a timely manner. This is particularly important for those women with disabilities who are covered by the Medicare program and are of childbearing age. It is also important for senior women who might be under the care of a certified nurse-midwife for primary care services.

Thank you again for your leadership on this important matter. ACNM looks forward to working with you to see this legislation's passage during the 110th Congress. For further information on this matter, please contact Mr. Patrick Cooney, ACNM's Federal Representative, at (202) 347–0034.

Sincerely,

EUNICE K.M. ERNST,
CNM, MPH, DSn(Hon), FACNM, President.

NATIONAL ASSOCIATION FOR
HOME CARE & HOSPICE,
Washington, DC, June 6, 2007.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the National Association for Home Care & Hospice, NAHC, I am writing to offer our appreciation and support for the Home Health Care Planning Improvement Act of 2007 that would allow nurse practitioners, NPs, clinical nurse specialists, CNSs, certified nurse midwives, CNMs, and physicians' assistants, PAs, to sign Medicare home health plans of care. We commend you for this much needed legislation that will help ensure timely access to home health services while reducing Medicare expenditures on more costly institutional care.

NPs, CNSs, CNMs, and PAs are playing an increasing role in the delivery of our nation's health care, especially in rural and underserved areas, and are providing necessary medical services to Medicare beneficiaries. They are often more familiar with particular cases than the attending physician. In addition, they are sometimes more readily available than physicians to expedite the processing of necessary paperwork, ensuring that home health agencies will be reimbursed in a timely manner and that care to the beneficiary will not be interrupted. Studies have shown that the expanded use of these professionals can result in dramatic decreases in expensive hospitalizations and nursing home stays.

We appreciate the outstanding leadership you have shown in helping make home and community-based services more readily available to our nation's elderly population and those with disabilities.

With our highest regards,

VAL J. HALAMANDARIS,
President.

AMERICAN ACADEMY,
OF NURSE PRACTITIONERS,
Washington, DC. June 7, 2007.

Senator SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: I am writing in behalf of the American Academy of Nurse Practitioners to endorse the introduction of the Home Health Improvement Act of 2007. This bill will authorize nurse practitioners to order home health services for patients for whose care they are responsible.

As you know, nurse practitioners have been authorized Part B Medicare providers since 1998. Under the provisions of this law, nurse practitioners render, order and refer for services under their own PIN and UPIN numbers. They may order physical therapy, occupational therapy, bill as consultant and consultees when providing services through telemedicine and order and bill for performing and interpreting diagnostic tests within their scope of practice. Despite their ability to provide and bill for services in all of these areas, they are still unable to refer patients for home health care.

Nurse practitioners have been demonstrated to provide safe and responsible care to the patients they serve. They have expert knowledge that allows them to provide high level assessments of patient needs and recognize when additional care, such as home health care is needed or not needed by their patients. Given their proven track record in the care of the elderly, it is not logical that nurse practitioners are authorized to be Part B providers, but are unable to order home health care and hospice care for their patients.

Currently nurse practitioners with patients needing home health care services must locate a physician who will see the patient and write the orders for this care. Not only is the patient's well being jeopardized by the delays that are incurred by this requirement, but added cost is incurred by the Medicare program through extra visits to providers with higher reimbursement rates than nurse practitioners. Passage of this bill will increase the quality and timeliness of care to patients who need home health nursing services.

Sincerely,

JAN TOWERS PHD, NP-C, CRNP,
FAANP,
Director of Health Policy.

AMERICAN COLLEGE,
OF NURSE PRACTITIONERS,
June 7, 2007.

Hon. SUSAN COLLINS,
United States Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the American College of Nurse Practitioners (ACNP), a national, non-profit membership organization whose mission is to ensure a solid policy and regulatory foundation that enables Nurse Practitioners to continue providing accessible, high quality healthcare to the nation—I am writing to express our appreciation to you for introducing the Home Health Care Planning Improvement Act of 2007.

The Home Health Care Planning Improvement Act importantly will amend the Social Security Act by broadening access to home health services for Medicare beneficiaries. A patient's Nurse Practitioner, physicians' assistant, or certified nurse midwife will now have the right to make changes to their home health care plan. Your critical legislation will safeguard the patient's continuity of care by preventing interruptions due to delays in paperwork from an oftentimes offsite physician who may never have even seen the patient.

The bill also recognizes the professional training and qualifications of Nurse Practitioners and ensures quality patient care, especially in rural and underserved areas where Nurse Practitioners are often more familiar with particular cases than the attending physician. ACNP thanks you for your ongoing support of the Nurse Practitioner community. Please know that ACNP stands ready to work with you and your staff to ensure Medicare beneficiaries have access to the highest quality care. If we can be of any assistance, please feel free to contact our Health Policy Advisor, Jodie Curtis (Jodie.Curtis@dbr.com) or our Chief Executive Officer, Carolyn Hutcherson (Carolyn@acnpweb.org).

Sincerely,
SUSAN APOLD, PHD, ANP,
President.

AMERICAN ACADEMY
OF PHYSICIAN ASSISTANTS,
Alexandria, VA, June 6, 2007.

Hon. SUSAN M. COLLINS,
United States Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the more than 60,000 clinically practicing physician assistants (PAs) in the United States represented by the American Academy of Physician Assistants (AAPA), I thank you for introducing the Home Health Care Planning Improvement Act of 2007. The AAPA strongly supports this important piece of legislation, and looks forward to working with you to secure its passage during the 110th Congress.

In 2006, nearly 231 million patient visits were made to physician assistants (PAs) and over 286 million prescriptions were written by PAs. PAs have a longstanding history of providing care in medically underserved communities, and have been credited with improving access to quality and cost-effective health care for many among the nation's most vulnerable patient populations.

Although the 1997 Balanced Budget Act extended Medicare coverage of medical services provided by PAs, as allowed by state law, PAs are not able to order home health care for Medicare beneficiaries. At best, PAs and their supervising physicians are forced to go through unnecessary extra steps to ensure that all home health orders are signed by the physician before the care is provided. At worst, Medicare beneficiaries experience needless delays in receiving home health care because a physician is not available onsite to sign the form.

The inability of PAs to order home health care is particularly burdensome for Medicare beneficiaries in medically underserved communities where a PA may be the only health care professional available. For example,

Needed home health care was delayed by over a week for a Medicare patient in Nevada, because the PA's supervising physician was located 60 miles away. The PA, who holds a full-time job in another part of the state, is the only health care professional for the patient's small rural town, providing care two weekends a month;

critical access hospitals in Nevada and other states are having difficulty with discharge planning. By law, critical access hospitals must have a PA or nurse practitioner on site fifty percent of the time. However, Medicare will not accept home health orders that have been signed by a PA;

PAs in orthopedic practice regularly work after-hours and on weekends. However, necessary home health care must be delayed for Medicare beneficiaries until a physician is available to sign the order.

The Home Health Care Planning Improvement Act of 2007 increases Medicare beneficiaries' access to needed care by allowing PAs to order home health care. The AAPA is pleased to endorse the Home Health Care Planning Improvement Act of 2007.

Sincerely yours,
MARY P. ETTARI, MPH, PA–C,
President.

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 1680. A bill to provide for the inclusion of certain non-Federal land in the Izembek National Wildlife Refuge and the Alaska Peninsula National Wildlife Refuge in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, the Izembek and Alaska Peninsula Wildlife Refuge and Wilderness Enhancement Act authorizes a land exchange among the U.S. Department of the Interior, the State of Alaska, and the people of King Cove. King Cove is an Alaska Native village and many of its present day residents descend from the indigenous Aleut people who have lived and thrived in this isolated area of the Alaska Peninsula for over 4,000 years.

This bill provides the land for a road on which to travel to the nearest all-weather airport which is located in Cold Bay. The people of King Cove do not have a road to their airport today because a National Wildlife Refuge wilderness sits between their village and Cold Bay.

World War II prompted the construction of a major air facility at Cold Bay, which is about 25 miles north of King Cove. Today, the Cold Bay Airport with a 10,000 foot main runway and a 6,500 foot crosswind runway is one of the largest airport facilities in Alaska and is accessible 365 days a year. However, the problem for King Cove residents has always been their inability to get to the airport on a predictable basis due to constant, ever changing weather conditions, combined with King Cove's topographic constraints.

These topographic constraints are directly related to the location of King Cove's small gravel airstrip nestled between 3,000 foot volcanic peaks. To access the airstrip in King Cove, pilots must navigate a narrow opening in the mountains.

Over the past 30 years, efforts by King Cove residents attempting to reach the Cold Bay Airport have resulted in numerous small plane crashes, some fatal. Neither King Cove nor Cold Bay have the sort of hospital facilities that are found in Anchorage. When King Cove people have a serious medical condition, they need to be ''medevaced'' to Anchorage from Cold Bay. That assumes that they can reach the airport at Cold Bay.

This legislation accomplishes the goal of providing the King Cove people with a road to the airport. It accomplishes this goal in a way that provides a net gain, rather than a net loss, to wilderness. The exchange provided for in this bill will add 61,723 acres to the Izembek and Alaska Peninsula National Wildlife Refuges. It adds 45,456 acres of wilderness, the first new wilderness areas designated by the Congress in Alaska in a generation. Not since the passage of the Alaska National Interest Lands Conservation Act, ANILCA, has new wilderness been designated in Alaska.

More importantly, this bill will add key areas of wildlife habitat to these two world-class wildlife refuges. Habitat for some of the largest and wildest brown bears in the world will transfer from private to public ownership. Other areas include key habitat for internationally valued waterfowl such as stellar eiders and brants.

I am sad to say that this is not a new issue for this body. The people of King Cove have been seeking justice in the form of a simple road to Cold Bay for decades. Congress attempted to make things right for the people of King Cove about a decade ago and came up with an imperfect solution.

This imperfect solution involved the construction of a 17-mile road from King Cove to a point near the border of the Izembek Refuge wilderness and a very expensive hovercraft to ferry King Cove residents across the rough waters of Cold Bay. The community has concluded that it cannot afford the cost of the hovercraft solution.

This bill will finish the job started by the Congress a few years ago. This bill provides a wonderful combination of wilderness additions in return for a small road corridor within the Izembek Wildlife Refuge to permit the current 17-mile road to be completed all the way to Cold Bay. This is the fairest and most logical process by which the King Cove residents and the nation can all benefit.

I want to commend the parties who have worked on this bill. The State of Alaska, has brought nearly 43,000 acres to this exchange. Without this land, the exchange would not be possible. The King Cove Native Corporation, which is a Village Corporation created

by the Alaska Native Claim Settlement Act, ANCSA, is donating approximately 2,500 acres of high value wetland habitat in Kinzaroff Lagoon. This lagoon is part of the Izembek National Wildlife Refuge and will be designated as wilderness, so that the mouth of this lagoon will be in public ownership. The corporation is also offering another 10,500 acres, which will be made part of the Alaska Peninsula Wildlife Refuge while relinquishing another 5,400 acres of their ANCSA land in the Refuge.

The only land, which will leave Federal ownership in the area, is approximately 206 acres for a narrow road to connect the existing road from King Cove to the Cold Bay Airport. The route and alignment of the road, within the corridor established by the bill, will be determined through an inclusive, cooperative planning process.

It has been suggested by some that we should not reopen this issue—it has always been so controversial. People who fought this battle before, and still have the scars to prove it, were told that putting a road in a national wildlife refuge creates a bad precedent. I have been warned that every environmental group in the Nation will line up against me if I pursue the exchange.

That may be true but this is how I see it. In the 25 years that have passed since the Alaska National Interest Lands Conservation Act, ANILCA, became law, I think most Alaskans have come to appreciate the value of setting aside land in Alaska for preservation. That appreciation took time. Many Alaskans, as you know, resisted ANILCA.

In return, it is appropriate for Alaskans to expect the conservation system units to be good neighbors to the aboriginal communities that they border. That hasn't always been the case. The Aleut people of King Cove inhabited their lands long before there was an Izembek National Wildlife Refuge. The King Cove people steadfastly maintain that they were not consulted before the decision was made to make the land that stands between their community and the airport a wilderness. It is their contention that thousands of others across the United States, Canada, and Europe were invited by the Federal Govermment to make their views known in this process, yet they were denied a voice in this most crucial decision affecting their native homeland.

To me the King Cove road isn't just a matter of transportation. It is a matter of respect for Native people. That is why I am willing to take up this cause on behalf of the Native people of King Cove. I ask my colleagues to join with me and with the Aleut people of King Cove to make their dream of a road to the airport, something that those in the Lower 48 take for granted, a reality.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1680

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Izembek and Alaska Peninsula Refuge and Wilderness Enhancement Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) King Cove, Alaska, is—

(A) located 625 air miles from Anchorage, Alaska, on the south side of the Alaska Peninsula, on a sand spit fronting Deer Passage and Deer Island;

(B) accessible only by air and water; and

(C) 1 of the most geographically isolated areas of the State of Alaska;

(2) constant adverse weather and limiting physical topography make traveling in and out of King Cove directly by air dangerous and impractical much of the time;

(3) King Cove is the homeland of Aleut people who—

(A) are federally recognized as indigenous peoples of the United States;

(B) have fished, hunted, and subsisted in King Cove for over 4,000 years; and

(C) refer to the King Cove community as ''Agdaagux'';

(4) the Agdaagux Tribal Council, which is the federally recognized tribal government for King Cove, recognizes that most of residents of King Cove are direct descendants of the original Aleut inhabitants;

(5) in the 1940s, an airport capable of access by jets was constructed by the United States Army at Cold Bay, which is approximately 25 surface miles north of King Cove, to support World War II related national security needs;

(6) while the Cold Bay Airport, which is now a civilian airport operated by the State of Alaska, is the lifeline for the King Cove people to the outside world, particularly for the life, safety, and health needs of the indigenous residents, there is no surface access between King Cove and the airport;

(7) nearly all of the land between King Cove and Cold Bay is—

(A) owned by the Federal Government as part of the Izembek National Wildlife Refuge; and

(B) managed as wilderness; and

(8) the Agdaagux Tribal Council—

(A) maintains that the Council and the indigenous Aleut people of King Cove were not consulted before the land that separates residents from the nearest all-weather airport was designated as wilderness, even though approximately 1,292 people across the United States, Canada, and Europe—

(i) received notice of the potential designation; and

(ii) during 1969 and 1970, were expressly invited by the Bureau of Sport Fisheries and Wildlife, the predecessor of the United States Fish and Wildlife Service, to participate in the process of considering whether the land should be managed as wilderness;

(B) regards the failure of the Federal Government to consult with the Council and the indigenous Aleut people of King Cove as a ''wrong and troubling action taken by the federal government'';

(C) submits that dozens of King Cove residents have died or suffered grave health consequences in the past 30 years because the residents could not reach timely medical assistance in Anchorage, Alaska, that can only be accessed via the all-weather Cold Bay Airport; and

(D) has expressed the full endorsement and support of the Council for the construction of a road between King Cove and the Cold Bay Airport as an expression of, and commitment to, self-determination for the Aleut people of King Cove who were not consulted before the land vital to the survival of the Aleut people of King Cove was designated as wilderness.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means—

(A) the approximately 206 acres of Federal land within the Izembek National Wildlife Refuge in the State that is depicted on the map as ''King Cove Road''; and

(B) the approximately 1,600 acres of Federal land that is depicted on the map as ''Sitkinak Island''.

(2) LANDOWNER.—The term ''landowner'' means—

(A) the State; and

(B) the other owners of the non-Federal land, including King Cove Corporation.

(3) MAP.—The term ''map'' means the map entitled ''Proposed Land Enhancements'' and dated June 2007.

(4) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 61,723 acres of non-Federal land authorized to be added to the Refuges under this Act, as depicted on the map.

(5) REFUGE.—The term ''Refuge'' means each of the Izembek National Wildlife Refuge and the Alaska Peninsula National Wildlife Refuge in the State.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) STATE.—The term ''State'' means the State of Alaska.

SEC. 4. CONVEYANCE OF LAND.

(a) IN GENERAL.—The Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land on—

(1) conveyance by the landowner to the Secretary of title to the non-Federal land that is acceptable to the Secretary; and

(2) certification by the Governor of the State that the State-owned land at Kinzaroff Lagoon has been designated under State law as a State refuge.

(b) MAP.—

(1) AVAILABILITY.—The map shall be on file and available for public inspection in the appropriate offices of the Secretary.

(2) REVISED MAP.—Not later than 180 days after the date of completion of the conveyance of Federal land and non-Federal land under this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a revised map that depicts the Federal land and non-Federal land conveyed under this section.

(c) KING COVE ROAD CONVEYANCE.—

(1) IN GENERAL.—The land described in section 3(1)(A) shall be used for construction of a State road.

(2) TERMS AND CONDITIONS.—

(A) CABLE BARRIER.—A road constructed under this subsection shall include a cable barrier on each side of the road, as described in the record of decision entitled ''Mitigation Measure MM–11, King Cove Access Project Final Environmental Impact Statement Record of Decision'' and dated January 22, 2004.

(B) SUPPORT FACILITIES.—Support facilities for a road constructed under this subsection shall not be located on federally owned land in the Izembek National Wildlife Refuge.

(3) COOPERATIVE RIGHT-OF-WAY PLANNING PROCESS.—

(A) IN GENERAL.—On request of the State, the Secretary, in cooperation with the Secretary of Transportation, the State, the Agdaagux Tribal Council, the Aleutians East Borough, the City of King Cove, and the King Cove Corporation, shall undertake a process to determine the route for the road required

to be constructed under paragraph (1) within the corridor that is depicted on the map as ''King Cove Road''.

(B) DEADLINE.—Not later than 18 months after the date on which the State submits a request under subparagraph (A), the Secretary shall complete the planning process required under that subparagraph.

(C) COMPATIBILITY.—The route for the road recommended by the Secretary under this paragraph shall be considered to be compatible with the purposes for which the Refuge was established.

(D) CONSTRUCTION.—Construction of the road along the route recommended by the Secretary under this paragraph is authorized in accordance with this Act.

(4) RECONVEYANCE.—The Secretary shall, on receipt of a written request from the State or the King Cove Corporation, immediately reconvey the applicable non-Federal land to the appropriate landowner that contributed the land if—

(A) a preliminary or permanent injunction is entered by a court of competent jurisdiction enjoining construction or use of the road; or

(B) the State or the King Cove Corporation determines before construction of the road that the road cannot be feasibly constructed or maintained.

(d) APPLICABLE LAW.—

(1) IN GENERAL.—The conveyance of Federal land and non-Federal land shall not be subject to any requirements for valuation, appraisal, and equalization under any other Federal law.

(2) ANCSA.—The use of existing roads and the construction of new roads on King Cove Corporation land to access the road authorized under this Act shall be considered—

(A) to be consistent with subsection (g) of section 22 of the Alaska Native Claims Settlement Act (43 U.S.C. 1621) and any patents issued under that subsection; and

(B) not to interfere with the purposes for which the Refuge was established.

(e) NOTICE.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives notice of the completion of the conveyance of Federal land and non-Federal land under this section.

(f) DESIGNATION OF WILDERNESS.—On conveyance of the non-Federal land to the Secretary, the approximately 45,493 acres of land generally depicted on the map entitled ''Wilderness additions to Izembek and Alaska Peninsula Wildlife Refuges'' and dated June 2007, shall be designated as wilderness.

(g) ADMINISTRATION.—The Secretary shall administer the non-Federal land acquired under this Act—

(1) in accordance with the laws generally applicable to units of the National Refuge System;

(2) as wilderness, in accordance with the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.); and

(3) subject to valid existing rights.

By Mr. DODD (for himself and Mr. STEVENS):

S. 1681. A bill to provide for a paid family and medical leave insurance program, and for other purposes; to the Committee on Finance.

Mr. DODD. Mr. President, I am pleased to introduce the Family Leave Insurance Act of 2007 and especially pleased to be joined by my colleague Senator STEVENS. This bill, which would provide 8 weeks of paid benefits to workers who take time off for reasons allowed under the Family and Medical Leave Act, FMLA, is an important step in continuing to help our Nation's workers to be both productive employees and responsible family members.

Before the FMLA, workers had no guarantee that their jobs would still be there if they took time off to care for loved ones or recover from illness themselves. Millions of Americans were forced into a challenging dilemma: care for their families, or provide for them.

That is why I worked to create the FMLA in 1985, and that is why I fought for its passage through 7 years of obstruction and two presidential vetoes, pointing out that its denial of guaranteed leave put America virtually alone among nations, industrialized or otherwise.

Finally, on February 5, 1993, the Family and Medical Leave Act was signed into law. Under its protection, eligible workers receive 12 weeks of leave every year, so that they can watch over a newborn or adopted baby, or help a parent through an illness, or get better themselves, knowing that their job will be there when they return. To date, more than 50 million Americans have taken that opportunity. The FMLA isn't just good for American workers, it is good for American business. Ninety percent of employers have reported that the FMLA had a neutral or positive effect on profits.

Today, the idea of guaranteed leave seems obvious; but now, it is time to take another step in making that hard-won leave a possibility for even more Americans. In the 21st century, working families should not have to give up the leave they earned because they cannot afford it, they deserve paid leave.

Why do we offer nothing, when the European standard is 14 paid weeks? Why are we one of only four countries in the world to deny paid maternity leave, leaving us in the company of Swaziland, Liberia, and Papua New Guinea?

For every worker who can weather a day without pay, three more can't afford the loss. To these workers, unpaid leave is a hollow promise, an impossible choice between the family they love and the job they need.

I believe it is a choice that no American should ever again be forced to make. When Congress passed and President Clinton signed the FMLA, we affirmed that health and family should never have to suffer because of the demands of work. I fail to see why that right should only be afforded to Americans in a certain income bracket.

With the introduction of the Family Leave Insurance Act, we take a huge step toward making family leave a possibility for all Americans. Its 8 weeks of paid leave per year will apply to employees who need time off for any of the reasons included in the FMLA: birth of a child; placement of an adopted or foster child; the care for a child, parent, or spouse with a serious medical condition; or recovery from a serious personal medical condition. Benefits will be tiered on the basis of wages, with the tiers themselves indexed to inflation. This structure will provide the greatest benefit to those with the lowest salaries. And workers who are covered by the FMLA will retain their health insurance and will be guaranteed a return to their job, or a comparable position, on their return.

The act creates a new Family Leave Insurance Fund into which premiums are paid, to finance benefit payments, allowing stakeholders to pool risk and lower costs, and funded through small, shared premiums. Those costs will be shared by employees and employers; the Federal Government will pay for administrative costs. Participation will be mandatory for all businesses with 50 employees or more; those with fewer employees can choose to participate and receive a discount on premium payments. To reduce administrative burdens for employers and employees, employers will pay leave benefits to employees through their regular payroll, with prompt reimbursement from the Family Leave Insurance Fund.

We know that many employers, both large and small, offer very generous leave policies, exemplifying best business practices. Through this legislation, we seek to support companies who offer paid leave so they continue to do so, and to create an incentive for smaller companies to offer paid leave. A provision in the bill allows employers to maintain their own paid leave plan, if it is certified to be equivalent or better to the plan in this legislation.

Our bill will also allow States flexibility in maintaining their existing programs. Several States already have systems to provide paid family and medical leave, and several more have legislation pending to create such systems. In recent years, more than 25 States have introduced legislation to create paid leave programs. The landscape in the States is changing quickly on policies for working families and there are complex issues around the interaction between this legislation, State programs and employers within States. We look forward to collaborating with States so they can maintain maximum flexibility, and provide the best leave policy, as the bill moves forward.

As the FMLA has demonstrated so strongly, family leave benefits both workers and businesses, and that is certainly the case for paid family leave. Paid leave cuts down on employee turnover and the high costs of training replacements; it has been shown to raise morale and productivity; and it levels the playing field by allowing small businesses to adopt a benefit that many of their larger competitors have been offering for years.

Our changing workforce demonstrates the strong need for paid family and medical leave. Almost 80 percent of the workforce is made up of

dual earner couples, who struggle to find time to care for their sick children or their own illnesses. In addition, approximately 40 percent of the workforce will be caring for older parents by 2010. For these and many other reasons, this bill is the right policy.

The FMLA established the principle, and now the Family Leave Insurance Act puts it into practice and into reach for more Americans. Its passage will bring America closer to the world's standards, help our businesses, and protect our workforce. In the lives of millions of Americans, it will help reduce the dilemma of balancing work and family. Let us continue to work together: Government, business and employees need to continue this conversation and improve our policies for working families and individual employees who need paid leave. I strongly urge my colleagues to support this bill.

Mr. STEVENS. Mr. President, earlier today, Senator DODD and I introduced the Family Leave Insurance Act of 2007, which builds upon important protections established by the Family and Medical Leave Act, FMLA, of 1993.

Our legislation would provide 8 weeks of paid benefits to private and Federal employees who take leave for reasons permitted by the FMLA. These include a serious health condition; care for a critically ill child, spouse, or parent; and the birth or adoption of a child.

Benefits would be provided to workers based on their annual income level. As an example, those earning less than $20,000 per year would receive 100 percent of their benefits, while those earning $60,000 to $97,000 would receive 40 percent. This scaled approach has two advantages: it will keep program costs low, and offer the greatest help to those who need it most.

In the past, many have expressed apprehension over the costs associated with family and medical leave. These concerns are valid, and steps must be taken to ensure neither employees nor employers are burdened by this or any similar program.

As introduced, this insurance fund would be financed by employees, employers, and the Federal Government. Employees would contribute 0.2 percent of their earnings, employers would match this percentage, and the Federal Government would pay any administrative expenses not covered by those payments. In truth, these costs are minimal for all involved. A worker who receives a $1,000 paycheck would disburse just $2 to receive full coverage.

While my support for this bill is not absolute, it does address an important shortcoming of the FMLA: employees who need leave often do not take time off because they simply cannot afford to do so. Senator DODD has rightly described this as a terrible choice for individuals—one which forces a decision between ''the job they need and the family they love.'' Those of us in the Senate must do everything we can to help hard-working American families, and this bill represents a significant first step in those efforts.

As the father of six children, I deeply understand the challenges families face following childbirth, in times of sickness, and when loved ones fall ill. In Alaska, the majority of parents hold full-time jobs outside the home, which often makes this pressure even more intense.

I commend Senator DODD for his continued leadership on this issue, and look forward to working with my Senate colleagues and leaders in the business community to improve this bill as it moves through the legislative process.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 248—HONORING THE LIFE AND ACHIEVEMENTS OF DAME LOIS BROWNE EVANS, BERMUDA'S FIRST FEMALE BARRISTER AND ATTORNEY GENERAL, AND THE FIRST FEMALE OPPOSITION LEADER IN THE BRITISH COMMONWEALTH

Mr. BROWN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 248

Whereas Dame Lois Browne Evans was born in 1927 in Bermuda, and attended the Central School and Middle Temple at London's Inns of Court in the United Kingdom;

Whereas, in June 1952, at the age of 26, Dame Lois Browne Evans was called to the London Bar, and the following December called to the Bermuda Bar and opened her own practice;

Whereas Dame Lois Browne Evans became Bermuda's first female barrister and went on to a distinguished career as a leading counsel;

Whereas Dame Lois Browne Evans was a lifelong advocate for the rights of workers and black Bermudians and a prominent member of the Progressive Labour Party (PLP);

Whereas Dame Lois Browne Evans was elected to Parliament in 1963 and became the first black female to serve in Parliament;

Whereas, in 1968, in Bermuda's first general election in which all adults were entitled to vote, Dame Lois Browne Evans was elected the PLP's Parliamentary Leader and became the first female Opposition Leader in the British Commonwealth;

Whereas Dame Lois Browne Evans held the position of Opposition Leader until 1972 and, in 1973, became Jamaica's Honorary Counsel in Bermuda, the first Bermudian to serve in this capacity;

Whereas in 1976 Dame Lois Browne Evans was again elected to Parliament and served as the Opposition Leader until 1985;

Whereas the PLP won its first election in 1998 and Dame Lois Browne Evans was appointed Minister of Legislative Affairs;

Whereas in 1999 Dame Lois Browne Evans became Bermuda's first elected Attorney General and first female Attorney General;

Whereas Dame Lois Browne Evans was Bermuda's longest serving Member of Parliament;

Whereas Dame Lois Browne Evans debated at the historic London and Bermuda Constitutional Conferences and served as a delegate to numerous international conferences in Africa, New Zealand, the United States, and the Caribbean;

Whereas Dame Lois Brown Evans was a member of the International Federation of Women Lawyers and a founding member of the Bermuda Business and Professional Women's Club;

Whereas Dame Lois Browne Evans led an exceptional life in which she played a major role in the racial integration of Bermuda and advanced the cause of civil, human, and minority rights in Bermuda and throughout the world; and

Whereas Dame Lois Browne Evans passed away on May 29, 2007, at the age of 79: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its profound sympathy to the family of Dame Lois Browne Evans and the citizens of Bermuda on the passing of Dame Lois Browne Evans; and

(2) commends the exemplary lifetime achievements of Dame Lois Browne Evans, her commitment to public service, and the singular role she played as a true pioneer who forged the way ahead for women and minorities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1820. Mr. BAYH submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table.

SA 1821. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1822. Mr. ALEXANDER (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1823. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1824. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1825. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1704 proposed by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. WYDEN, Mr. SCHUMER, Mr. SALAZAR, and Ms. SNOWE) to the amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.